

Transmitted Via Facsimile to (703) 746-4974

9D-HR-20193-DIV
PATENT

REMARKS

The Office Action mailed May 19, 2004, has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-8 are now pending in this application. Claims 1-8 stand rejected

Applicant wishes to thank the Examiner for the courtesies extended in a telephonic interview on August 9, 2004 in which the Schumacher reference (4,197,717) was discussed in view of the pending claims, and in which no agreement was reached regarding patentability.

The rejection of Claims 1-8 under 35 U.S.C. § 102(b) as being anticipated by Schumacher (U.S. Patent No. 4,197,717) is respectfully traversed.

Schumacher describes an automatic icemaker (76) that is connected to a refrigeration circuit (10). The icemaker includes an ejection motor (78), a mold heater (80), a control thermostat (82), and a feeler arm switch (84). The icemaker also includes a cam operated switch (86) having first and second movable contact terminals (88) and (90) and a fixed terminal (92). An inlet water valve solenoid (94) is connected to the fixed contact terminal.

Claim 1 recites an ice maker including "a mold comprising at least one cavity for containing water therein for freezing into ice; a water supply comprising at least one valve for controlling water flow into said mold; an ice removal heating element operationally coupled to said mold; and an ice maker control system operationally coupled to said valve and said ice removal heating element and configured to control said valve; control said ice removal heating element; and provide a signal to a separate refrigerator control system".

Schumacher does not describe or suggest an icemaker that includes a mold including at least one cavity for containing water therein for freezing into ice, a water supply including at least one valve for controlling water flow into the mold, an ice removal heating element

Transmitted Via Facsimile to (703) 746-4974

9D-HR-20193-DIV
PATENT

operationally coupled to the mold, and an ice maker control system operationally coupled to the valve and the ice removal heating element and wherein the control system is configured to control the valve, control the ice removal heating element, and provide a signal to a separate refrigerator control system. Moreover, Schumacher does not describe or suggest an ice maker control system configured to provide a signal to a separate refrigerator control system. Rather, Schumacher describes a refrigeration circuit wherein a thermostat turns a mold heater on and off and no control system provides a signal to a separate refrigerator control system.

Accordingly, for the reasons set forth above, Claim 1 is submitted to be patentable over Schumacher.

Claims 2-4 depend from independent Claim 1. When the recitations of Claims 2-4 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claims 2-4 likewise are patentable over Schumacher.

Claim 5 recites a refrigerator including "a fresh food compartment; a freezer compartment separated from said fresh food compartment by a mullion; an ice maker positioned within said freezer cavity; and a refrigerator control system configured to control a temperature of said freezer compartment and said fresh food compartment, said refrigerator control system configured to receive a signal from a separate ice maker control system".

Schumacher does not describe or suggest a refrigerator including a fresh food compartment, a freezer compartment separated from said fresh food compartment by a mullion, an ice maker positioned within the freezer cavity, and a refrigerator control system configured to control a temperature of the freezer compartment and the fresh food compartment, and wherein the refrigerator control system is configured to receive a signal from a separate ice maker control system. Moreover, Schumacher does not describe or suggest a refrigerator control system that is configured to receive a signal from a separate ice maker control system. Rather, Schumacher has no icemaker control system that sends a signal to a separate refrigerator control system.

Transmitted Via Facsimile to (703) 746-4974

9D-HR-20193-DIV
PATENT

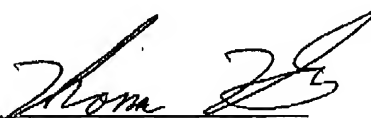
For the reasons set forth above, Claim 5 is submitted to be patentable over Schumacher.

Claims 6-8 depend from independent Claim 5. When the recitations of Claims 6-8 are considered in combination with the recitations of Claim 5, Applicant submits that dependent Claims 6-8 likewise are patentable over Schumacher.

For the reasons set forth above, Applicant respectfully requests that the Section 102 rejection of Claims 1-8 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Thomas M. Fisher
Registration No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070